ENCROACHMENT PERMIT

BANK OF AMERICA, the Owners of the property located at 9204 MAGNOLIA AVENUE in the City of Riverside, Assessors Parcel No. 233-040-022 hereby requests permission to construct and maintain an AWNING OVERHANGING THE PUBLIC SIDEWALK within the right of way of MAGNOLIA AVENUE as shown on EXHIBIT A attached hereto.

Upon issuance of this p	ermit, I agree to comp	ly with the	attached ter	ms and conditions.	
Date <u>5-11-08</u>	BY:_	BY: Brooke Wolford			
Date	BY:_	Senior Vice President			
Applicants Address:	AYERS CORP 22951 E. LA PALM YORBA LINDA CA. 714-692-6400		Contact:	Laura Duran 715-271-9929	
 I	ENCROACHMENT PER	MIT APPRO	VAL		
This permit shall beco Issuance of this permit requirement, and is only	shall not be construed	l as a waive	er of any oth	ner applicable permit or	
Public Utilities-Wat	er Brian-Simpson		· · · · · · · · · · · · · · · · · · ·		
Public Utilities Elec	trie Bill Mainord				
Parke and Recreation	en Terry-Nielsen				
Z Planning - Jeff Beli	er .	JAH "	a les		
APPLICANT: Upon obto Department for final ap		atures, retu	rn this perm	it to the Public Works	
	FINAL APPR				
Date				5-1-200d Works Director	

PSID.

ENCROACHMENT PERMIT NO. E - 1459

TERMS AND CONDITIONS

- 1. Permittee acknowledges that the area of encroachment is owned or controlled by the City of Riverside.
- 2. Permittee acknowledges that the described property could be needed for a proposed or planned public improvement and the City may revoke this permit. Upon written notice of revocation, the permittee shall, within the time prescribed by the City, remove all improvements placed, constructed or maintained. If the permittee fails to abide by the removal order of the City, the City shall have the right to remove and destroy the improvements without reimbursement to the permittee. The cost of such removal shall be paid by the permittee to the City and shall constitute a debt owed to the City.
- 3. Permittee waives the right of claim, loss, damage or action against the City resulting from revocation, termination, removal of improvements or any action of the City, its officers, agents or employees taken in accordance with the terms herein.
- 4. If the Public Works Director of the City of Riverside finds that the permittee is in default of the terms of this permit, that shall be cause for revocation.
- 5. Permittee herewith agrees to hold the City of Riverside harmless from and against all claims demands, costs, losses, damages, injuries, actions for damages and/or injuries, and liability in connection with the construction, encroachment, and/or maintenance to be done by permittee within the described property.
- 6. Prior to any construction taking place on City controlled property, permittee shall obtain a Construction Permit or Street Opening Permit from the City Public Works Department.
- 7. The permittee agrees to insure that construction of their improvements will not interfere in any way with any existing City or utility facilities.
- 8. Permitted acknowledges that existing city or utility facilities will require future maintenance, reconstruction, and revisions and that facilities may be added, any of which may result in removal or alteration of the permittee's improvements without reimbursement to the permittee.
- 9. Prior to construction, permittee shall contact Underground Service Alert to field locate existing utility lines. Any conflicts discovered will void the permit until acceptable revisions are made.

Special Departmenta	Conditions Attached:	No
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